

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Joo-youp KIM

Serial No. 09/976,460

Group Art Unit: 2653

Confirmation No. 9969

Filed: October 15, 2001

Examiner: PSITOS, ARISTOTELIS M

For: METHOD OF AND APPARATUS FOR CONTROLLING WRITING POWER IN AN
OPTICAL DRIVE

COMMENTS REGARDING EXAMINER'S REASONS FOR ALLOWANCE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The Examiner provided in item 3, page 2 of the Office Action mailed August 26, 2004, reasons for indication of allowable subject matter regarding claims 1-15 that "(n)one of the cited prior art teaches or discloses in this environment the required first and second normalization limitations as defined in any of the independent claims."

Applicant submits that the Examiner's comment raises "possible misinterpretations... and possible estoppel effects." (See MPEP §1302.14). For example, the term --normalization-- is not recited in independent claim 10.

Applicant respectfully submits that the Examiner's comment has at least the potential of creating confusion as to the meaning of independent claim 10, and thus should be disregarded because the claims speak for themselves as to what features are included therein and are their own best evidence as to the reasons for allowance of same.

Respectfully submitted,

STAAS & HALSEY LLP

Date: June 6, 2005

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